

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

FEDERAL TRADE COMMISSION,

Petitioner,

v.

DUNHAM’S ATHLEISURE CORP.,

Respondent.

No. 21-mc-50981-JEL-KGA

Hon. Judith E. Levy
United States District Judge

Mag. Judge Kimberly G. Altman

**STIPULATION FOR ENTRY OF ORDER
TO ENFORCE CIVIL INVESTIGATIVE DEMAND**

WHEREAS, on July 19, 2021, the Federal Trade Commission (“FTC”) filed its Petition to Enforce Civil Investigative Demand (“CID”) in Time-Sensitive Merger Investigation against respondent Dunham’s Athleisure Corporation (“Dunham’s”) (ECF No 1);

WHEREAS, the Court entered an Order to Show Cause on July 21, 2021 (ECF No. 3);

WHEREAS, Dunham’s filed its Response to Order to Show Cause on August 12, 2021 (ECF No. 8);

WHEREAS, the Court set a hearing on the show cause order for August 23, 2021;

IT IS HEREBY STIPULATED AND AGREED BY THE FTC AND DUNHAM'S (the "parties"), and ORDERED by the Court, as follows:

1. Dunham's shall produce, on or before September 3, 2021, one or more electronic spreadsheets (e.g., Microsoft Excel or delimited text formats) containing, separately for each of its stores, Net Sales and Gross Margins for each calendar year from and including 2015 to and including 2020, which production shall be considered compliance with Specifications 2(a), 2(e), and 2(i) in the FTC's CID, and simultaneously produce a certificate of compliance relating to that production. Dunham's shall produce this information to Charles Dickinson, Commission Counsel, in a manner consistent with the terms of the CID;

2. This Stipulation and Order shall be without prejudice to, or waiver of, the right of the FTC to issue further CIDs, subpoenas, or requests for information to Dunham's in any subsequent related litigation; and

3. Upon entry of this Stipulation and Order, the hearing scheduled for August 23, 2021, is vacated.

Respectfully submitted,

/s/ Michael D. Bergman
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Attorney for Respondent
Dunham's Athleisure Corp.

Date: August 19, 2021

Local Counsel for the FTC
Pursuant to Local Rule 83.20(g):
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Date: August 19, 2021

IT IS SO ORDERED:

Date: August 19, 2021
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge